

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	NO. CR17-0083RSL
Plaintiff,)	
)	ORDER CONTINUING TRIAL
vs.)	PURSUANT TO 18 U.S.C.
)	§§ 3161(h)(7)(B)(iv), (h)(1)(D),
GARY TODD HORTON,)	and (h)(7)(A); AND EXTENDING
)	MOTIONS CUTOFF DATE
Defendant.)	
)	

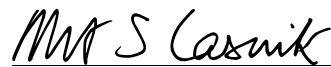
Before this Court is the defendant's motion for continuance of the trial date, which is presently scheduled for May 30th, 2017, and for an extension of the pretrial motions cutoff date of April 20th, 2017. Dkt. # 18. The government being in agreement with said continuance, and the defendant having signed a waiver acknowledging and waiving his right to a speedy trial, Dkt. # 19, the Court finds, after a consideration of all relevant information and the circumstances of this case, that without this continuance the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation of his defense, to explore resolution of this case before trial, and to ensure continuity of defense counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). Failure to grant a continuance under these circumstances would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i). The ends of

1 justice would best be served by the granting of the motion for continuance, and outweigh the best
2 interests of the public and the defendant in having the matter brought to trial sooner. 18 U.S.C. §
3 3161(h)(7)(A). For these reasons, the Court finds the defendant's motion for continuance should
4 be granted. The trial date scheduled for May 30th, 2017 is VACATED. The trial shall be
5 RESCHEDULED TO October 2nd, 2017 at 9:00 a.m. The pretrial motions cutoff date scheduled
6 for April 20th, 2017 VACATED. The pretrial motions cutoff date shall be RESCHEDULED TO
7 August 23rd, 2017.
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9 Any and all period of delay resulting from the granting of this continuance, from the date
10 of the filing of the defendant's motion until the date of the rescheduled trial, shall be excludable
11 time pursuant to 18 U.S.C. §§ 3161(h)(7)(B)(iv), (h)(1)(D), and (h)(7)(A).
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13 IT IS SO ORDERED.
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15 DONE this 18th day of April, 2017.
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18 Robert S. Lasnik
19 United States District Judge
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